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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Gosselin <i>et al.</i>	Confirmation No.:	1728
Serial No.:	10/022,276	Art Unit:	1623
Patent No.:	6,569,837		
Filed:	December 14, 2001	Examiner:	Crane, Lawrence E
For:	B-L-2'-DEOXYNUCLEOSIDES FOR TREATMENT OF HEPATITIS B	Attorney Docket No.:	IDX 1000 CON1

**REQUEST TO RESCIND PREVIOUS
NON-PUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(ii)**

Mail Stop PG Pub
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Request for Non-Publication and Certification under 35 U.S.C. § 122(b)(2)(B)(i) ("Request") was inadvertently submitted on December 14, 2001, in connection with U.S. Pat. App. No. 10/022,276. In the Request, the Patent Owners' representative certified that U.S. Pat. App. No. 10/022,276 had not and would not be the subject of an application filed in another country, or under a multilateral agreement that requires publication at eighteen months after filing, despite the fact that such publication has already occurred on February 24, 2000. Thus, this request to rescind is submitted. The factual and legal basis for granting the request is set forth below.

FACTS

Pursuant to 37 C.F.R. § 1.213(b)(1), this Request to Rescind Previous Non-Publication Request is directed to U.S. Pat. App. No. 10/022,276, now issued as U.S. Pat. No. 6,569,837. The Patent Owners submit that pursuant to 35 U.S.C. § 122(b)(2)(B)(ii) and 37 C.F.R. § 1.213(b), this Request to Rescind Non-Publication Request may be filed at any time.

Pursuant to 35 U.S.C. § 122(b)(2)(B)(ii) and 37 C.F.R. § 1.213(b)(2), the Patent Owners hereby rescind the previous non-publication request.

Pursuant to 37 C.F.R. § 1.213(b)(3), this Request to Rescind Non-Publication Request is signed in compliance with 37 C.F.R. 1.33(b).

Pursuant to M.P.E.P. §1122, the Patent Owners submit that the certification filed on December 14, 2001, was improper and inadvertently filed. Indeed, the subject matter of U.S. Pat. App. No. 10/022,276 had been previously filed and published under a multilateral agreement on February 24, 2000 (as WO 00/09531).


CONCLUSION

In view of the foregoing, the Patent Owners respectfully request that this Request to Rescind be granted.

No fee is believed to be due with this request; however, the Commissioner is authorized to charge any requisite fee to Jones Day Deposit Account No. 50-3013 (order no. 417451-999030). A copy of this sheet is attached for such purpose.

Respectfully submitted,

Date: June 27, 2007



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